

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ZOHAR III, CORP., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

ZOHAR CDO 2003-1, LIMITED; ZOHAR II
2005-1, LIMITED; and ZOHAR III,
LIMITED; ZOHAR II 2005-1, CORP.;

Plaintiffs,

v.

PATRIARCH PARTNERS, LLC;
PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
PHOENIX VIII, LLC; OCTALUNA LLC;
OCTALUNA II LLC; OCTALUNA III LLC;
ARK II CLO 2001-1, LIMITED; ARK
INVESTMENT PARTNERS II, LP; ARK
ANGELS VIII, LLC; PATRIARCH
PARTNERS MANAGEMENT GROUP, LLC;
PATRIARCH PARTNERS AGENCY
SERVICES, LLC; and LYNN TILTON,

Defendants, and

180S, INC.; BLACK MOUNTAIN DOORS,
LLC; CROSCILL HOME, LLC; DURO
TEXTILES, LLC; GLOBAL AUTOMOTIVE
SYSTEMS, LLC; HERITAGE AVIATION,
LTD.; INTREPID U.S.A., INC.; IMG
HOLDINGS, INC.; JEWEL OF JANE, LLC;
MOBILE ARMORED VEHICLES, LLC;
SCAN-OPTICS, LLC; SILVERACK, LLC;

Adv. Pro. No. 20-50534

¹ The Debtors, and, where applicable, the last four digits of their taxpayer identification number are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is c/o Province, LLC 70 Canal Street, Suite 12E, Stamford, CT 06902.

STILA STYLES, LLC; SNELLING
STAFFING, LLC; VULCAN
ENGINEERING, INC; and XPIENT
SOLUTIONS, LLC,

Nominal Defendants.

PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
OCTALUNA LLC; OCTALUNA II LLC;
OCTALUNA III LLC; PATRIARCH
PARTNERS AGENCY SERVICES, LLC; and
PATRIARCH PARTNERS, LLC,

Counterclaim and Third-Party
Claimants,

-against-

ZOHAR CDO 2003-1, LIMITED; ZOHAR
CDO 2003-1, CORP., ZOHAR II 2005-1,
LIMITED; ZOHAR II 2005-1, CORP.;
ZOHAR III, LIMITED; and ZOHAR III
CORP.

Counterclaim and Third-Party
Defendants.

**NOTICE OF SUBSTITUTION OF ZOHAR LITIGATION TRUST-A AS PLAINTIFF
AND NOTICE OF APPEARANCE AND REQUEST
FOR SERVICE OF NOTICES AND PAPERS**

PLEASE TAKE NOTICE that on June 21, 2022, the Court entered an order [Case No. 18-10512, Dkt. 3400] (the “Confirmation Order”) approving the Third Amended Joint Plan of Liquidation Under Chapter 11 of the Bankruptcy Code for Zohar III, Corp. and its Affiliated Debtors and on August 1, 2022 certain amendments thereto (as subsequently amended, modified and supplemented, the “Plan”) and on August 1, 2022, the Court entered an order approving certain modifications to the Plan and confirming the Plan as so modified, *see* [Case No. 18-10512, Dkt.

3467]. On August 2, 2022, the Plan went effective. Under the Plan, the Zohar Funds' claims against Defendants in this Adversary Proceeding were transferred to the Litigation Trust, and the Litigation Trust and its trustee (Mr. Dunn) were substituted in this Adversary Proceeding without the need for any party to act in connection therewith. *See* Confirmation Order ¶ 13² and 23; Plan §§ 6.1 and 6.8.

PLEASE TAKE FURTHER NOTICE that the attorneys listed below enter their appearances as counsel to the Zohar Litigation Trust-A and David Dunn, as Trustee of Zohar Litigation Trust-A (the "Litigation Trustee").

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² On the Effective Date, as permitted under the Plan, MBIA assigned its rights in the claims in this Adversary Proceeding to the Litigation Trust.

Dated: August 8, 2022
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Ryan M. Bartley

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